

1/12/2001

WAP

22 games

FLEXIBILITY

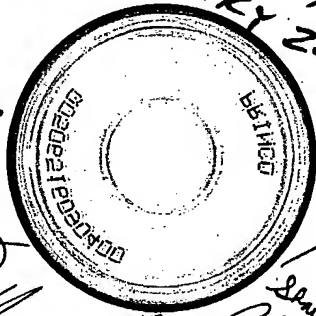
STABILITY

QUALITY

1/25/2001

CHRISTY GETTING SOUND DOCS

THE UNDERSTANDING
 CARE THAT WE DEVELOP
 THE GAME ON THIS DISK
 ON JANUARY 25, 2001.



will
 Mary Kay
 [Signature]
 [Signature]
 [Signature]

Ken G
 Shawn F. [Signature]
 Alexander
 Lins



RECEIVED
APR 15 2004
TECHNOLOGY CENTER R3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Savio et al.

Serial No.: 10/082,540

Group Art Unit: 3713

Filed: March 1, 2002

Examiner: Nguyen, Binh An Duc

For: APPARATUS AND METHOD FOR PLAYING A VIDEO SLOT
GAMING MACHINE HAVING A BONUS GAME

Attorney Docket No.: 60,518-012

**DECLARATION UNDER 37 C.F.R. §1.131 OF PRIOR INVENTION
IN THE UNITED STATES TO OVERCOME A CITED REFERENCE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. This Declaration is to establish completion of the subject invention of this application in the United States, at a date prior to July 19, 2001, that is the effective date of the prior art U.S. Patent Application No. 10/198,600, Publication No. 2003/0017868, which was cited by the Examiner. The present application is a Continuation of U.S. Application 09/966,234, filed September 28, 2001.

2. The person making this Declaration is the Executive Vice President & C.O.O. of the Assignee, Konami Gaming, Inc.

3. Each of the inventors of the subject invention, R. Savio, M. Karen, B. Schultz, S. Falstrom, and R. Foresta, are no longer with Konami Gaming, Inc. It has not been possible to produce a declaration from the inventors.

4. Upon reviewing the development history for the game according to the subject invention, it was established that a game incorporating vertical pay lines was reduced to practice prior to July 19, 2001.

5. Evidence of the reduction to practice is set forth on pages 26 and 28 of the inventor's lab book and attached as Exhibits 1 and 2, respectively.

6. Page 26 includes a dated entry illustrating a game with vertical paylines as claimed in the subject invention and analogous to Figures 3 and 4 of the originally submitted specification. The hand sketches were dated prior to July 19, 2001.

7. Page 28 includes another dated entry having a photocopy of a compact disc that stored a computer simulation of the game as claimed in the subject invention. The compact disc is dated prior to July 19, 2001 and was signed by each of the inventors declaring that they developed the game on the disk.

8. Based upon the facts stated above, it is clear the inventors reduced to practice the claimed invention prior to July 19, 2001.

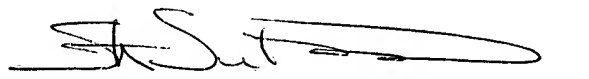
9. This Declaration is being submitted prior to a final rejection for the above-referenced application.

10. As a person signing below:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

April 1, 2004
Date



Steve Sutherland
Konami Gaming, Inc.
Executive Vice President & C.O.O.
7140 S. Industrial Road, Ste. 700
Las Vegas, NV 89119



CERTIFICATE OF MAILING

I hereby certify that the attached **37 C.F.R. §1.131 Declaration** is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 4/7/04.

Melissa Dadisman
Melissa Dadisman

G:\J-L\Konami\p00012 - Sticks Continuation\Patent\1.131 Declaration.doc

RECEIVED
APR 15 2004
TECHNOLOGY CENTER R3700